

# ARIZONA VETERANS SERVICE COMMISSION

## INTERNAL MANAGEMENT POLICY 88-05

SUBJECT: AFTER HOURS EMPLOYMENT

EFFECTIVE DATE: July 1, 1997 (Supersedes IMP 88-05, 12/1/88 and 5/1/92)

- 1.0 POLICY: It is the policy of the Arizona Veterans Service Commission to review employees' secondary employment to determine if there is a conflict of interest between the secondary employment and the employee's job with this agency. Disclosures are reviewed to ensure that the activity does not interfere with the employees' work performance or the best interests of the Commission.
- 2.0 AUTHORITY: A.R.S. § 41-603, 41-604, 41-770, 38-501, 23-391, 23-392  
A. A. C. R2-5-501.C.
- 3.0 RESPONSIBILITY: Each supervisor shall ensure that all employees understand and comply with the policy. Each employee is required to disclose all secondary employment.
- 4.0 DEFINITIONS:
  - 4.1 *Conflict of interest* - The term is defined broadly in this policy to encompass those issues identified in 5.2.1 through 5.2.4.
  - 4.2 *After Hours employment* - Any job, contract or work agreement made by any employee of the Commission with another party, including the same or other State agencies (also referred to as secondary employment).
- 5.0 PROCEDURES:
  - 5.1. Within one working day of accepting secondary employment, an employee must complete the Request for Outside Employment (AVSC 01-74) and submit it to the first-line supervisor. Forms are available at the Human Resources Office.
  - 5.2. The Request for Outside Employment shall be reviewed by the first-line supervisor to determine if:
    - a. A conflict of interest exists;
    - b. The secondary employment has an adverse impact on the Commission.
    - c. Compliance with the Fair Labor Standards Act (FLSA) would increase the cost to the Commission. When two State employment situations exist, the hours of work at the secondary employer shall not be counted as hours worked for overtime purposes on the regular job.

- d. The request is prohibited by the Standards of Conduct outlined in Personnel Rule R2-501.G.
- 5.3. The first-line supervisor will identify any violations specified in 5.2.1 through 5.2.4, which will require the following actions:
  - 5.3.1 Contact the employee and discuss the exact nature of the secondary employment in detail.
  - 5.3.2 Prepare information for the Division Administrators to support the supervisors recommendation that the secondary employment be approved or disapproved. Memoranda to the Division Administrators should be routed through the chain of command.
- 5.4. After a decision has been made by the Division Administrators, the first-line supervisor will advise the employee. If a determination is made that the secondary employment violates 5.2.1 through 5.2.4, the supervisor must advise the employee.
- 5.5. A copy of the form with appropriate signature of the Division Administrators will be returned to the employee. The first-line supervisor will keep the original.
  - 5.5.1. Within three working days, the employee shall decide which job the employee desires to retain.
- 5.6. If at any time agency management determines that the secondary employment adversely impacts the Commission or impairs the employee's capacity to perform the duties and responsibilities of the job, the Division Administrator shall advise the employee.
- 5.7. The employee must communicate the decision to the immediate supervisor within three working days. If a decision is not made within that time frame or the employee refuses to choose between the two jobs, the Commission will take appropriate disciplinary action up to and including dismissal.
- 6.0 **IMPLEMENTATION:** This policy will be implemented without change on the effective date.

  
Norman O. Gallion  
Director of Veteran Affairs

Attachment: Request for Outside Employment (AVSC 01-77)

## REQUEST FOR OUTSIDE EMPLOYMENT

I, \_\_\_\_\_ request permission to work at:

\_\_\_\_\_  
(Name of Employer)

\_\_\_\_\_  
(Address)

My duties will be: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My hours of work will be:

Saturday - From \_\_\_\_\_ To \_\_\_\_\_  
Sunday - From \_\_\_\_\_ To \_\_\_\_\_  
Monday - From \_\_\_\_\_ To \_\_\_\_\_  
Tuesday - From \_\_\_\_\_ To \_\_\_\_\_

Wednesday - From \_\_\_\_\_ To \_\_\_\_\_  
Thursday - From \_\_\_\_\_ To \_\_\_\_\_  
Friday - From \_\_\_\_\_ To \_\_\_\_\_

Supervisor Recommendation:

\_\_\_\_\_ Approval  
\_\_\_\_\_ Disapproval - If so, state why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Supervisor Signature)

Division Administrator decision - Request:

\_\_\_\_\_ Approval  
\_\_\_\_\_ Denied

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date